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Docket 17310CIP1CON1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Brooks et al.) Examiner: Lakia Tongue
Serial Number: 10/628,905) Art Unit: 1645
Filed: July 28, 2003)
For: BOTULINUM TOXIN ELUTING STENT) Irvine, California

TRANSMITTAL LETTER

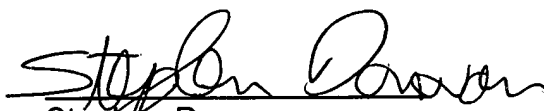
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please find enclosed with regard to the above-identified pending U.S. patent application: (1) a 10 page Response to the June 18, 2004 Office Action in the above-identified patent application; (3) this 2 page Transmittal Letter; and; (3) a return postcard.

The Commissioner is hereby authorized to charge any additional fees required or necessary for the filing, processing or entering of this paper or any of the enclosed papers, and to refund any overpayment, to deposit account 01-0885.

Date: July 13, 2004


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CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that this Transmittal Letter, the Response to Office Action and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date **July 13, 2004** in an envelope as "Express Mail Post Office to Addressee" Mailing Label number EV 193 718 770 US addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Adriane Giberson
Name of person mailing paper


Signature of person mailing paper

Date: July 13, 2004



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RESPONSE TO OFFICE ACTION

Commissioner for Patents
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REMARKS

This response to office action amends page 34 of the specification, cancels claim 21 and amends claims 19 and 22. See pages 9-10 of this response.